

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re: PURDUE PHARMA L.P., <i>et al.</i> , BANKRUPTCY APPEALS	21 cv 7532 (CM) 21 cv 7585 (CM) 21 cv 7961 (CM) 21 cv 7962 (CM) 21 cv 7966 (CM) 21 cv 7969 (CM) 21 cv 8034 (CM)
This Filing Relates to	21 cv 8042 (CM) 21 cv 8049 (CM) 21 cv 8055 (CM)
ALL MATTERS	21 cv 8139 (CM) 21 cv 8258 (CM) 21 cv 8271 (CM) 21 cv 8548 (CM) 21 cv 8557 (CM) 21 cv 8566 (CM) On Appeal from the United States Bankruptcy Court for the Southern District of New York

DEBTORS-APPELLEES' STATEMENT IN RESPONSE TO
QUESTION FOR COUNSEL

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Your Honor: The Debtors-Appellees write in response to your question regarding whether there is information in the record regarding distributions made to shareholders prior to January 1, 2008. (Dkt. 171.)

On slide 31 of the Cash Transfers of Value Analysis, dated December 16, 2019, attached to the Declaration of Richard A. Collura to which Your Honor referred, Mr. Collura provides a table that divides Purdue's Total Cash Transfers and Non-Cash Distributions included in the October 19, 2018 presentation prepared by Purdue for the Multidistrict Litigation in the Northern District of Ohio ("**2018 MDL Presentation**") into pre-January 1, 2008 amounts and post-January 1, 2008 amounts. As reflected there, Purdue's aggregate distributions to or for the benefit of members of the Sackler families from January 1, 1995 to December 31, 2007 totaled \$1.322 billion. (JX-3050.0042 (Cash Transfers of Value Analysis from Declaration of Richard A. Collura at Slide 31 (Aug. 5, 2021), Bankr. Dkt. 3410-2 at PDF 32).)

JX-2481 provides an annual breakdown of tax versus non-tax distributions for the \$1.322 billion distributed between January 1, 1996 and December 31, 2007. (JX-2481 (Purdue Analysis of Historical Cash Distributions, Baker Dep. Exhibit 14).) The breakdown reflects that \$1.192 billion, or 90.2% of the total distributions during that period, were tax distributions. (*Id.* at JX-2481.0001) The Debtors-Appellees note, for ease of reference and to tie the two discussed documents together, that: (i) because there were no distributions in 1995, the total amounts distributed between January 1, 1996 and December 31, 2007 as reflected at JX-2481.0001 match the total amounts distributed between January 1, 1995 and December 31, 2007 as reflected in the table at the bottom of slide 31 of the Cash Transfers of Value Analysis, discussed above, and (ii) the annual breakdown of tax versus non-tax distributions for the amounts distributed between

January 1, 2008 and December 31, 2017 shown at JX-2481.0001 match those in the table at the top of slide 31.

The 2018 MDL Presentation was not part of the record of the confirmation hearing but had been provided to many parties prior to and during these Chapter 11 Cases, and was also in the Document Reserve for Confirmation in these Chapter 11 Cases to which all parties who signed the Bankruptcy Court's Protective Order were provided access.

The Debtors-Appellees have attached to this response, as **Exhibit A**, slide 31 of the Cash Transfers of Value Analysis cited above and, as **Exhibit B**, JX-2481.

Dated: November 18, 2021
New York, New York

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